Case 1:20-cv-06368-GHW Document 134 Filed 11/10/2

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #:_____ DATE FILED: 11/10/2021

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

MCGRAW HILL LLC, BEDFORD, FREEMAN & WORTH PUBLISHING GROUP, LLC d/b/a MACMILLAN LEARNING, CENGAGE LEARNING, INC., ELSEVIER INC., and PEARSON EDUCATION, INC.,

Plaintiffs,

v.

CHINH TRAN VAN, NGUYEN VAN LINH, TUAN DUC NGUYEN, HUY NGUYEN TRONG, CHUNG VAN NGUYEN, THI THUY LINH HOANG, NGUYEN THI THU THUY, TUAN TRUNG LUONG, TRUNG TUAN, CUONG MANH HOANG, HUY NGUYEN, DANG HUY, NGUYEN VAN DONG, CHUNG NGUYEN, TRAN NGOC THANH, HAI AN NGUYEN, LAM NGOC NGUYEN, KHOA BUI DANG, CARMEN RODRIGUEZ, VAN THIEN VU, VAN THUY DANG, THUY THI TRAN, VAN DUONG HA, THI DUNG VU, PHUONG TRUC HOANG, BAN TRAN, VUONG LE, PHUONG THI THANH LE, BLAZHE PENDAROVSKI, HOA LEE, NAM DUY NGUYEN, CHUONG TAI NGUYEN, VAN TAM NGUYEN, TUE NGUYEN VAN, VIET TAN PHAN, LÊ ĐÌNH KHANG, VUONG HUNG LE, MISBUN ALI, VALERIE LAVELY, VINH NGUYEN NGOC, MIR MOHSIN ALI, SAMANTHA COLAIANNI, NAM HOANG NGUYEN, FARID ZAINAL ABIDIN, NGÔ ĐÌNH PHÚ, ROSTISLAV ZHURAVSKIY, NGUYET ANH HO, MUHAMMAD FAHRIZAN MOHD YUSOF, TANVEER ZAHAR, TRAN THI HIEN, MOHAMED MAGDY, MUHAMMAD ZULKARNAIN OSMAN, NGUYEN NHU HAI LONG, SRI ZARUL GIRAGA, TAI DUC HUYNH, ROSMAN HAMIDI, HALIMI ABDUL RAZAK, CUONG NGUYEN VAN, HIBATULLA AMNAN, JIAN LI XU, CHI HOANG NGUYEN, DIEP ANH NGUYEN, DOE 10 d/b/a COLLEGE2BOOK.COM, DOE 18 d/b/a EBOOK-MALL.COM, DOE 30 d/b/a EVELYN.ONKINGSHOP.COM, and DOES 64-100,

Defendants.

Civil Action No. 20-cv-6368-GHW

DEFAULT JUDGMENT

GREGORY H. WOODS, United States District Judge:

Plaintiffs McGraw Hill LLC ("McGraw Hill"), Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning ("Macmillan Learning"), Cengage Learning, Inc. ("Cengage"), Elsevier Inc. ("Elsevier"), and Pearson Education, Inc. ("Pearson") (collectively, "Plaintiffs") initiated this action on August 12, 2020 against Doe defendants. *See* Compl., ECF No. 10. At the same time that they filed the Complaint, Plaintiffs filed an *Ex Parte* Application for a Temporary Restraining Order, Order to Show Cause Why a Preliminary Injunction Should Not Issue, Expedited Discovery Order, and Alternate Service Order, which the Court granted on August 12, 2020 ("*Ex Parte* Order"). *See Ex Parte* Order, ECF No. 5. Pursuant to the *Ex Parte* Order, Plaintiffs served the defendants (then Does) by email with the original Complaint, Summons, *Ex Parte* Order, and their moving papers. *See* Decl. of Service, ECF No. 9. After a show cause hearing, at which the defendants did not appear, the Court issued a Preliminary Injunction on September 9, 2020. *See* Prelim. Inj., ECF No. 41.

After conducting expedited discovery, Plaintiffs filed the Amended Complaint on October 16, 2020, naming Chinh Tran Van, Nguyen Van Linh, Tuan Duc Nguyen, Huy Nguyen Trong, Chung Van Nguyen, Thi Thuy Linh Hoang, Nguyen Thi Thu Thuy, Tuan Trung Luong, Trung Tuan, Cuong Manh Hoang, Huy Nguyen, Dang Huy, Nguyen Van Dong, Chung Nguyen, Tran Ngoc Thanh, Hai An Nguyen, Lam Ngoc Nguyen, Khoa Bui Dang, Carmen Rodriguez, Van Thien Vu, Van Thuy Dang, Thuy Thi Tran, Van Duong Ha, Thi Dung Vu, Phuong Truc Hoang, Ban Tran, Vuong Le, Phuong Thi Thanh Le, Blazhe Pendarovski, Hoa Lee, Nam Duy Nguyen, Chuong Tai Nguyen, Van Tam Nguyen, Tue Nguyen Van, Viet Tan Phan, Lê Đình Khang, Vuong Hung Le, Misbun Ali, Valerie Lavely, Vinh Nguyen Ngoc, Mir Mohsin Ali, Samantha Colaianni, Nam Hoang Nguyen, Farid Zainal Abidin, Ngô Đình Phú, Rostislav Zhuravskiy, Nguyet Anh Ho,

Muhammad Fahrizan Mohd Yusof, Tanveer Zahar, Tran Thi Hien, Mohamed Magdy, Muhammad Zulkarnain Osman, Nguyen Nhu Hai Long, Sri Zarul Giraga, Tai Duc Huynh, Rosman Hamidi, Halimi Abdul Razak, Cuong Nguyen Van, Hibatulla Amnan, Jian Li Xu, Chi Hoang Nguyen, Diep Anh Nguyen, and Doe 18 d/b/a ebook-mall.com¹ as defendants (collectively, and as further identified by their aliases, email addresses, and infringing websites on Appendix A hereto, "Defendants"). *See* Am. Compl., ECF No. 62. Plaintiffs served the Amended Complaint and Summons on Defendants by email pursuant to the Court's November 9, 2020 Alternate Service Order, ECF No. 77, other than with respect to Defendant Zhuravskiy, who was served in New York on December 11, 2020 pursuant to N.Y. C.P.L.R. § 308(4). *See* Decl. of Service, ECF Nos. 68, 75; Affid. of Service, ECF No. 87. No Defendant responded to the Amended Complaint. *See* Certificate of Default, ECF No. 90.

On January 13, 2021, the Clerk of Court entered a Certificate of Default as to Defendants. *See id.* On April 14-15, 2021, Plaintiffs filed a memorandum of law, declarations, and other papers in support of their request for an Order to Show Cause for Default Judgment, Permanent Injunction, and Post-Judgment Relief against Defendants ("Default Judgment Request") pursuant to, *inter alia*, Rules 55(b) and 65(d) of the Federal Rules of Civil Procedure. *See* ECF Nos. 101-118.

On August 24, 2021, the Court issued an Order setting a show cause hearing on Plaintiffs' Default Judgment Request for October 14, 2021. *See* ECF No. 121. Plaintiffs served this Order on Defendants. *See* Decl. of Service, ECF No. 122.

On October 14, 2021, after the show cause hearing, at which Defendants did not appear,

¹ As Plaintiffs were not able to determine the true identity of Defendant Doe 18 d/b/a ebookmall.com ("Doe 18"), Doe 18 continues to be identified by his website.

the Court issued an Order directing Plaintiffs to submit an itemized damages calculation, which Plaintiffs did on October 21, 2021. *See* ECF Nos. 128 – 129.

Having conducted the show cause hearing on October 14, 2021, and having reviewed the Amended Complaint; the memorandum of law, declarations, itemized damages calculations, and other papers Plaintiffs in support of their Default Judgment Request; and the entire record herein, the Court HEREBY FINDS that:

- A. Plaintiffs are higher education publishers. Plaintiffs' publications include physical and digital textbooks that are widely available in the United States to consumers and sold through direct sales channels and legitimate distributors and stores, including through online sales.
- B. Defendants own and/or operate websites through which they have infringed Plaintiffs' federally registered copyrighted works or derivative works identified on Exhibit C to the Amended Complaint and/or federally registered trademarks identified on Exhibit D to the Amended Complaint, which are attached hereto as Appendices B and C, respectively. Defendants' websites at issue in this action are identified on Appendix A hereto as "Infringing Sites Identified in Amended Complaint" and "Additional Infringing Sites" (collectively, "Infringing Sites"). The Defendants in Groups 1 through 9, as identified on Appendix A, jointly operate their respective Infringing Sites and, therefore, are jointly and severally liable to Plaintiffs as set forth herein.
- C. Defendants have been properly served in this action with the Complaint, the Amended Complaint, and the Summonses;
- D. Because Defendants have not filed Answers, otherwise responded to the Complaint or the Amended Complaint, or otherwise appeared in this action, the Clerk of Court entered default against Defendants on January 13, 2021;

- E. The Court has personal jurisdiction over the Defendants pursuant to N.Y. C.P.L.R. §§ 302(a)(1) and (3) (and over Defendant Zhuravskiy pursuant to N.Y. C.P.L.R. § 301);
- F. Plaintiffs own or exclusively control the rights in copyright in and to their respective works or derivative works described on Appendix A hereto ("Plaintiffs' Authentic Works");
- G. Plaintiffs own or exclusively control the rights in their respective trademarks described on Appendix B hereto ("Plaintiffs' Authentic Marks");
- H. Defendants have willfully infringed Plaintiffs' copyrights in Plaintiffs' Authentic Works in connection with Defendants' reproduction and/or distribution of unauthorized electronic copies of Plaintiffs' textbooks ("Infringing eBooks"), and Defendants, therefore, are liable for willful copyright infringement under the Copyright Act, 17 U.S.C. §§ 101, et seq.;
- I. Defendants have willfully infringed Plaintiffs' Authentic Marks in a manner that constitutes trademark counterfeiting, pursuant to 15 U.S.C. §§ 1114(1)(a) and 1127, by using in commerce, without Plaintiffs' authorization, identical or substantially indistinguishable reproductions of Plaintiffs' Authentic Marks in connection with the sale, offering for sale, distribution, and/or advertising of Infringing eBooks, and Defendants, therefore, are liable for willful trademark counterfeiting under the Lanham Act;
- J. Defendants' willful infringement of Plaintiffs' copyrights and trademarks has caused Plaintiffs irreparable harm; and
- K. As a result of Defendants' unlawful conduct, Plaintiffs are entitled to the entry of a final judgment and permanent injunction against Defendants as set forth herein.

NOW, THEREFORE, IT IS HEREBY ORDERED, in accordance with Federal Rule of Civil Procedure 65(d), the Copyright Act, and the Lanham Act that Defendants, their officers,

agents, servants, employees, and attorneys, and all those in active concert or participation with any of them, who receive actual notice of this Order, are permanently enjoined from directly or indirectly (1) infringing the copyrights owned or exclusively controlled by any of the Plaintiffs, or any parent, subsidiary, or affiliate of a Plaintiff ("Plaintiffs' Copyrights"), including any copyrighted work published under any of the imprints identified on Exhibit B to the Amended Complaint, attached hereto as Appendix D (the "Imprints"); and (2) infringing the trademarks owned or exclusively controlled by any of the Plaintiffs, or any parent, subsidiary, or affiliate of a Plaintiff ("Plaintiffs' Marks"), including such trademarks associated with the Imprints.

Without limiting the foregoing, IT IS FURTHER ORDERED that Defendants, their officers, agents, servants, employees, and attorneys, and all those in active concert or participation with any of them who receive actual notice of this Order, are permanently enjoined from engaging in any of the following acts:

- 1) Copying, reproducing, manufacturing, importing, downloading, uploading, transmitting, distributing, selling, offering for sale, advertising, marketing, promoting, or otherwise exploiting any of Plaintiffs' Copyrights without Plaintiffs' express written authorization; or enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing others to engage in such activities;
- 2) Copying, reproducing, using in connection with manufacturing, importing, downloading, uploading, transmitting, distributing, selling, offering for sale, advertising, marketing, or promoting goods or services, or otherwise exploiting any of Plaintiffs' Marks without Plaintiffs' express written authorization; or enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing others to engage in such activities; and
- 3) Using, hosting, operating, maintaining, creating, or registering any computer server, website, domain name, domain name server, cloud storage, e-commerce platform, online advertising service, social media platform, or payment processing service to infringe or to enable, facilitate, permit, assist, solicit, encourage, or induce the infringement of Plaintiffs' Copyrights or Plaintiffs' Marks.

IT IS FURTHER ORDERED that, pursuant to 17 U.S.C. § 504(c) and 15 U.S.C. § 1117(c),

Plaintiffs are entitled to statutory damages under the Copyright Act in the amount of \$100,000 per infringed copyright in Plaintiffs' Authentic Works per Defendant or Defendant Group, and under the Lanham Act in the amount of \$50,000 per infringed Plaintiffs' Authentic Mark per Defendant or Defendant Group. Although Plaintiffs requested both copyright and trademark damages in connection with their Default Judgment Request, in light of the Court's ruling regarding the damages amounts, the Court permitted Plaintiffs to seek all copyright damages in connection with this final judgment. Accordingly, Plaintiffs are awarded damages against Defendants as follows:

| Group* | Defendant | No. of Copyrighted Works Infringed | Publisher(s) | Total Copyright Damages |
|---------|------------------------|---|--|-------------------------------|
| Group 1 | Chinh Tran Van | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Nguyen Van Linh | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Tuan Duc Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Huy Nguyen Trong | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Chung Van Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Thi Thuy Linh Hoang | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Nguyen Thi Thu Thuy | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Tuan Trung Luong | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Trung Tuan | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Cuong Manh Hoang | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Huy Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |

| Group* | Defendant | No. of Copyrighted Works Infringed | Publisher(s) | Total Copyright Damages |
|---------|----------------------|---|--|-------------------------------|
| Group 1 | Dang Huy | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Nguyen Van Dong | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Chung Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Tran Ngoc Thanh | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Hai An Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Lam Ngoc Nguyen | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Khoa Bui Dang | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 1 | Carmen Rodriguez | 45 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$4,500,000 |
| Group 2 | Van Thien Vu | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| Group 2 | Van Thuy Dang | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| Group 2 | Thuy Thi Tran | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| Group 2 | Van Duong Ha | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| Group 2 | Thi Dung Vu | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| Group 2 | Phuong Truc Hoang | 5 | Macmillan Learning, McGraw Hill, Pearson | \$500,000 |

| Group* | Defendant | No. of Copyrighted Works Infringed | Publisher(s) | Total Copyright Damages |
|---------|--------------------------------|---|--|-------------------------------|
| Group 3 | Ban Tran | 14 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$1,400,000 |
| Group 3 | Vuong Le | 14 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$1,400,000 |
| Group 3 | Phuong Thi Thanh Le | 14 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$1,400,000 |
| Group 4 | Blazhe Pendarovski | 4 | Cengage, Pearson | \$400,000 |
| Group 4 | Hoa Lee | 4 | Cengage, Pearson | \$400,000 |
| Group 5 | Nam Duy Nguyen | 2 | McGraw Hill, Pearson | \$200,000 |
| Group 5 | Chuong Tai Nguyen | 2 | McGraw Hill, Pearson | \$200,000 |
| Group 6 | Van Tam Nguyen | 2 | Cengage, Elsevier | \$200,000 |
| Group 6 | Tue Nguyen Van | 2 | Cengage, Elsevier | \$200,000 |
| Group 7 | Viet Tan Phan | 18 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$1,800,000 |
| Group 7 | Lê Đình Khang | 18 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$1,800,000 |
| Group 8 | Vuong Hung Le | 4 | Cengage, McGraw Hill, Pearson | \$400,000 |
| Group 8 | Misbun Ali | 4 | Cengage, McGraw Hill, Pearson | \$400,000 |
| Group 9 | Valerie Lavely | 6 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$600,000 |
| Group 9 | Vinh Nguyen Ngoc | 6 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$600,000 |
| Group 9 | Mir Mohsin Ali | 6 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$600,000 |
| N/A | Samantha Colaianni | 5 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$500,000 |
| N/A | Nam Hoang Nguyen | 2 | Cengage, McGraw Hill | \$200,000 |
| N/A | Farid Zainal Abidin | 4 | Cengage, Macmillan Learning, McGraw Hill, Pearson | \$400,000 |
| N/A | Ngô Đình Phú | 1 | Cengage | \$100,000 |
| N/A | Doe 18 d/b/a ebook-mall.com | 4 | Cengage, Elsevier, McGraw Hill, Pearson | \$400,000 |

| Group* | Defendant | No. of Copyrighted Works Infringed | Publisher(s) | Total Copyright Damages |
|--------|------------------------------------|---|--|-------------------------------|
| N/A | Rostislav Zhuravskiy | 4 | Cengage, Elsevier, McGraw Hill, Pearson | \$400,000 |
| N/A | Nguyet Anh Ho | 1 | Cengage | \$100,000 |
| N/A | Muhammad Fahrizan Mohd Yusof | 2 | McGraw Hill, Pearson | \$200,000 |
| N/A | Tanveer Zahar | 1 | Pearson | \$100,000 |
| N/A | Tran Thi Hien | 4 | Cengage, Elsevier, Macmillan Learning, McGraw Hill | \$400,000 |
| N/A | Mohamed Magdy | 1 | McGraw Hill | \$100,000 |
| N/A | Muhammad Zulkarnain Osman | 1 | McGraw Hill | \$100,000 |
| N/A | Nguyen Nhu Hai Long | 4 | Macmillan Learning, McGraw Hill, Pearson | \$400,000 |
| N/A | Sri Zarul Giraga | 1 | Pearson | \$100,000 |
| N/A | Tai Duc Huynh | 1 | Cengage | \$100,000 |
| N/A | Rosman Hamidi | 1 | Pearson | \$100,000 |
| N/A | Halimi Abdul Razak | 1 | McGraw Hill | \$100,000 |
| N/A | Cuong Nguyen Van | 25 | Cengage, Elsevier, Macmillan Learning, McGraw Hill, Pearson | \$2,500,000 |
| N/A | Hibatullah Amnan | 1 | Pearson | \$100,000 |
| N/A | Jian Li Xu | 4 | Cengage, Macmillan Learning, McGraw Hill, Pearson | \$400,000 |
| N/A | Chi Hoang Nguyen | 1 | Pearson | \$100,000 |
| N/A | Diep Anh Nguyen | 1 | Elsevier | \$100,000 |
| | | | Total Damages | \$17,000,000 |

^{*} Each Defendant within a Group is jointly and severally liable for the Total Copyright Damages indicated with respect to such Group.

IT IS FURTHER ORDERED that the stay to enforce a judgment imposed by Federal Rule of Civil Procedure 62(a) is hereby dissolved and Plaintiffs may immediately enforce the judgment set forth herein.

IT IS FURTHER ORDERED that Defendants shall deliver to Plaintiffs for destruction all electronic copies of Plaintiffs' Authentic Works, or derivative works thereof, that infringe any of Plaintiff's copyrights and that Defendants have in their possession, custody, or control, pursuant to 17 U.S.C. § 503.

IT IS FURTHER ORDERED that the Clerk of Court is hereby directed to release the \$10,000 cash bond, posted in accordance with the *Ex Parte* Order, to Plaintiffs by sending it to their attorneys of record, Oppenheim + Zebrak, LLP, at 4530 Wisconsin Avenue, NW, 5th Floor, Washington, DC 20016.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over the parties and the subject matter of this litigation for the purpose of interpretation and enforcement of this Permanent Injunction.

FINAL JUDGMENT is hereby entered in favor of Plaintiffs against Defendants Chinh Tran Van, Nguyen Van Linh, Tuan Duc Nguyen, Huy Nguyen Trong, Chung Van Nguyen, Thi Thuy Linh Hoang, Nguyen Thi Thu Thuy, Tuan Trung Luong, Trung Tuan, Cuong Manh Hoang, Huy Nguyen, Dang Huy, Nguyen Van Dong, Chung Nguyen, Tran Ngoc Thanh, Hai An Nguyen, Lam Ngoc Nguyen, Khoa Bui Dang, Carmen Rodriguez, Van Thien Vu, Van Thuy Dang, Thuy Thi Tran, Van Duong Ha, Thi Dung Vu, Phuong Truc Hoang, Ban Tran, Vuong Le, Phuong Thi Thanh Le, Blazhe Pendarovski, Hoa Lee, Nam Duy Nguyen, Chuong Tai Nguyen, Van Tam Nguyen, Tue Nguyen Van, Viet Tan Phan, Lê Đình Khang, Vuong Hung Le, Misbun Ali, Valerie Lavely, Vinh Nguyen Ngoc, Mir Mohsin Ali, Samantha Colaianni, Nam Hoang Nguyen, Farid Zainal Abidin, Ngô Đình Phú, Rostislav Zhuravskiy, Nguyet Anh Ho, Muhammad Fahrizan Mohd Yusof, Tanveer Zahar, Tran Thi Hien, Mohamed Magdy, Muhammad Zulkarnain Osman, Nguyen Nhu Hai Long, Sri Zarul Giraga, Tai Duc Huynh, Rosman Hamidi, Halimi Abdul Razak, Cuong

Nguyen Van, Hibatulla Amnan, Jian Li Xu, Chi Hoang Nguyen, and Diep Anh Nguyen., and Doe 18 d/b/a ebook-mall.com in the total amount of \$17,000,000, as described above, plus post-

judgment interest calculated at the rate set forth in 28 U.S.C. § 1961.

The Preliminary Injunction issued by the Court on September 9, 2020, Dkt. No. 41, is no longer in effect.

SO ORDERED this 10th day of November 2021.

HON. GRESORY H. WOODS United States District Judge

APPENDIX A

| Defendant | Names | Aliases | Email Addresses | Infringing Sites Identified in | Additional Infringing Sites |
|-------------|---------------------|------------------|------------------------------|--------------------------------|-----------------------------|
| Group | | | | Amended Complaint | |
| 1 (Does 11, | Carmen Rodriguez | Alice Kohler | 12ahngga1@gmail.com | derora.onkingshop.com | 2clickmarket.com |
| 12, 13, 14, | Chinh Tran Van | Anh The Nguyen | 26XEPU64@gmail.com | evelyn.onkingshop.com | azgifts.store |
| 15, 16, 20, | Chung Nguyen | Chinh Trần | 27hahaj1@gmail.com | digitalbook4you.com | bestdealebooks.com |
| 24, 25, 26, | Chung Van Nguyen | Chinh Tran Van | 2agguahq1@gmail.com | digitalbookdrive.com | booknowplz.com |
| 27, 28, 30, | Cuong Manh Hoang | Chung Nguyen Van | 4Fuzy8R@gmail.com | dumanus.com | booksendo.com |
| 36, 39, 43, | Dang Huy | Cuong Hoang | 5uywna01@gmail.com | ebook4mart.com | cheapest-ebooks.com |
| 58 and 62) | Hai An Nguyen | Cuong Manh Hoang | 7hsdy1ab@gmail.com | ebookall.store | digitalbook247.com |
| | Huy Nguyen | Dang Khoa Bui | 8tYKc45Q@gmail.com | ebooksmoda.com | digitalbook4u.club |
| | Huy Nguyen Trong | Dang Null Huy | a16dhhaa@gmail.com | ebookthings.net | digitalbook4u.com |
| | Khoa Bui Dang | Darra Budovec | a1anhgio2g@gmail.com | ebooktoday.net | digitalbook4u.org |
| | Lam Ngoc Nguyen | Do Duy Quyet | ABZzKhQ11@gmail.com | ebooktoday.store | digitalbook4u.store |
| | Nguyen Thi Thu Thuy | Do Van Phung | admin@Dumanus.com | ebookus.store | digitalbook4you.club |
| | Nguyen Van Dong | Dũng Ngô | admin@eagleblack.net | ebookvip.store | digitalbook4you.org |
| | Nguyen Van Linh | Duy Van Phung | admin@ebookall.store | grutina.shop | digitalbook4you.store |
| | Thi Thuy Linh Hoang | Ha Van Duong | admin@ebooktoday.store | iconover.com | digitalbooklovers.com |
| | Tran Ngoc Thanh | Hai Van Duong | admin@ebookus.store | mononus.com | ebook-online.org |
| | Trung Tuan | Ho Van | admin@ebookvip.store | vitalebook.net | ebook4m.com |
| | Tuan Duc Nguyen | Hoang Manh Cuong | admin@Grutina.shop | zbooklife.com | ebookai.net |
| | Tuan Trung Luong | Hung Viet Nguyen | admin@Mononus.com | azgift.store | ebookamz.net |
| | | Huong Thanh Pham | admin@pickcheaptee.com | book4sales.com | ebookbol.com |
| | | Huy Nguyen Trong | admin@tiktify.com | digitalbook4deal.com | ebookeco.com |
| | | Huy Trong Nguyen | admin@zbooklife.com | digitalbook4sales.com | ebookfado.com |
| | | Jocelyn Agatha | admin@zgalaxytee.com | ebookaz.store | ebookfly.store |
| | | Josephine Reed | alexisflemming987@gmail.com | ebookbalo.store | ebookfocal.com |
| | | Kara Kulp | allstorehub2020@gmail.com | ebooks4deal.com | ebookgala.com |
| | | Khoa Bui | anhduongcuoicung@gmail.com | ebookworld.store | ebookgreen.store |
| | | Khoa Dang Bui | anhduongcuoicung@outlook.com | ebookz.store | ebookins.store |
| | | Kim Thanh Thanh | anhgio196z@gmail.com | elearning-books.com | ebookisbn.net |
| | | Lam La Tao | anhvutanmao11zz@b2bvn.net | etextbook4you.com | ebooklife.store |
| | | Le Thanh Thuy | bao28aa2@gmail.com | koboebook.com | ebooklive.store |
| | | Le Van Tri | baothy9464@yahoo.com | librarysparks.net | ebooks-discount.com |
| | | Linh Nguyen Van | bolu24512@yahoo.com | | ebooks-saleoff.com |
| | | Linh Van Nguyen | brown.rhoades@hotmail.com | | ebooks247.club |
| | | Lu Thi Kim Lien | buihieu2zx1@gmail.com | | ebooks247.store |
| | | Luong Trung Tuan | BuUJxNmw@gmail.com | | ebooksfaq.net |
| | | Lynn Lyss | C8RtqXTY@gmail.com | | ebooksfun.com |
| | | Mandisa Frye | cafetamda@gmail.com | | ebooktop.store |
| | | Manh Cuong Hoang | caichuyendebac@gmail.com | | ebookvibe.com |
| | | Margaret Lindley | caithu3ne@gmail.com | | ebookvic.store |
| | | Mauria Bell | CHDBY7w.V@gmail.com | | ebookzing.com |
| | | Nam Khanh | CHDBY7wV@gmail.com | | etextbook247.club |

| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Site |
|--------------------|-------|-----------------------|------------------------------|---|----------------------------|
| • | | Nguyễn Huy | cherry.phucmyanh@gmail.com | • | etextbook247.com |
| | | Nguyen Ngoc Lam | christinmitra9258@gmail.com | | etextbook247.store |
| | | Nguyen Thi Thu Duy | chungti196@gmail.com | | etextbook4you.store |
| | | Nguyen Thuy | contact.hovan@gmail.com | | facebookcashmasterr.com |
| | | Nguyen Trong | contact@hovan@gmail.com | | gooddealebooks.com |
| | | Nguyen Trong Huy | contact@zbooklife.com | | greatdealebooks.com |
| | | Nguyễn Trọng Huy | cryett oneter@hotmail.com | | love-ebook.store |
| | | Nguyen Van Duc | dangquanghuy0110@gmail.com | | readebook.store |
| | | Nguyen Van Linh | depleccc12a@gmail.com | | tpzeni.com |
| | | Nguyen Văn Linh | dinhhoangthanh04@outlook.com | | wolamz.com |
| | | Nguyn Huy | DmDepLe191@gmail.com | | xtigerplus.com |
| | | Quang Bi | dontcry91@icloud.com | | zbookbig.com |
| | | Quang Vu Le | ducluzy195@gmail.com | | Zookoig.com |
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| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Sit |
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| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Sites |
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| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Sites |
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| | | | | | ebookworldwide.com ecomebook.store greatebooks.net itsebooks.com rentbuybooks.com rentbuybooks.store shopebook.store tynbooks.com uniebook.net unitebooks.co vivaebooks.store |
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| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Sites |
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| Defendant Group | Names | Aliases | Email Addresses | Infringing Sites Identified in Amended Complaint | Additional Infringing Sites |
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| 121 | Pearson | Campbell Biology, 11th | TX0008472354 | pixarebook.store | Cuong Nguyen Van |
| 121 | Pearson | Campbell Biology, 11th | TX0008472354 | unibookmaster.com | Jian Li Xu |
| 122 | Pearson | Campbell Biology, 8th | TX0007883763 | ebook4mart.com | Defendant Group 1 |
| 123 | Pearson | Campbell Essential Biology with Physiology, 4th | TX0007048200 | vitalsource.ltd | Defendant Group 8 |
| 124 | D | Clinical Laboratory Chamistry 2nd | TX0008126026 | -hl4 | Defendent Course 1 |
| 124 | Pearson | Clinical Laboratory Chemistry, 2nd | TX0008514379 | ebookz.store | Defendant Group 1 |
| 124 | Pearson | Clinical Laboratory Chemistry, 2nd | TX0008514379 | llersand.xyz | Defendant Group 5 |
| 125 | Pearson | Computer Security Fundamentals, 2nd | TX0007500873 | ebooktoday.store | Defendant Group 1 |
| 126 | Pearson | Educational Psychology, 14th | TX0008571544 | pdf2find.com | Defendant Group 4 |

|] | Publisher | Title | Copyright | Infringing Site | Defendants |
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| 127 I | Pearson | Electrical Engineering: Principles and Applications, 6th | TX0007711377 | ebookmar.com | Rostislav Zhuravskiy |
| 128 I | Pearson | Elementary Statistics Using Excel, 6th | TX0008529894 | evelyn.onkingshop.com | Doe 30 d/b/a evelyn.onkingshop.com |
| 128 I | Pearson | Elementary Statistics Using Excel, 6th | TX0008529894 | pdf4school.com | Defendant Group 4 |
| 129 I | Pearson | Essentials of Sociology, 13th | TX0008232933 | ebookpromotions.Com | Defendant Group 7 |
| 129 I | Pearson | Essentials of Sociology, 13th | TX0008232933 | itsebooks.com | Defendant Group 7 |
| 130 I | Pearson | Foundations of Addictions Counseling, 3rd | TX0008088495 | ebookus.store | Defendant Group 1 |
| 130 I | Pearson | Foundations of Addictions Counseling, 3rd | TX0008088495 | stdbooks.com | Defendant Group 3 |
| 131 I | Pearson | Geosystems Core, 1st | TX0008345290 | bookstore.cheap | Defendant Group 3 |
| 132 I | Pearson | Horngren's Accounting, 12th | TX0008464965 | pennymac.club | Defendant Group 2 |
| 133 I | Pearson | Horngren's Cost Accounting Global Edition, 16th | TX0008469320 | ebook4you.net | Cuong Nguyen Van |
| 134 I | Pearson | Horngren's Cost Accounting Global Edition, 16th | TX0008469320 | hdebook.store | Cuong Nguyen Van |
| 135 I | Pearson | Human Anatomy & Physiology Laboratory Manual, 12th | TX0008057720 | aonie.club | Defendant Group 2 |
| 136 I | Pearson | Human Anatomy & Physiology, 11th | TX008592257 | tikiz.store | Cuong Nguyen Van |
| 137 I | Pearson | Laboratory Experiments in Microbiology, 12th | TX0008564612 | pickmebooks.com | Defendant Group 7 |
| 138 I | Pearson | Making Sustainability Stick | TX0007829701 | ebookbalo.store | Defendant Group 1 |
| 139 I | Pearson | Phlebotomy Handbook, 9th | TX0007939581 | ebooks4deal.com | Defendant Group 1 |
| 140 I | Pearson | Project Management, 4th | TX0008106430 | vitalebook.net | Defendant Group 1 |
| 141 I | Pearson | Roman Art, 6th | TX0007887397 | pickmebooks.com | Defendant Group 7 |
| 142 I | Pearson | Social Media and Public Relations | TX0007544949 | ebookbalo.store | Defendant Group 1 |
| 143 I | Pearson | Social Psychology, 10th | TX0008126280 | ebookpromotions.Com | Defendant Group 7 |
| 143 I | Pearson | Social Psychology, 10th | TX0008126280 | guzguz.club | Nguyen Nhu Hai Long |
| 144 I | Pearson | Strategic Communication in Business and the Professions, 8th | TX0008183992 | ebooksshelf.com | Defendant Group 7 |
| 145 I | Pearson | Technical Communication Today, 6th (IRC) | TX0008458282 | vitalebook.store | Defendant Group 7 |
| 146 I | Pearson | Technical Communication, 14th | TX0008512005 | ebook-mall.com | Doe 18 d/b/a ebook-mall.com |
| 147 I | Pearson | Thinking About Biology: An Introductory Lab Manual, 6th | TX0008598383 | pickmebooks.com | Defendant Group 7 |

APPENDIX C

| | Publisher | Trademark | Trademark Registration(s) | Infringing Site(s) | Defendant(s) |
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| | | | | vitalebook.store | Defendant Group 7 |
| 1 | Cengage | Brooks/Cole | 3,386,242 | nghigift.com | Defendant Group 9 |
| | | | | evelyn.onkingshop.com | Doe 30 d/b/a evelyn.onkingshop.com |
| | | | | cheggbook.store | Cuong Nguyen Van |
| | | | | ebook4me.store | Cuong Nguyen Van |
| | | | | elearning-books.com | Defendant Group 1 |
| | | | | ebookaz.store | Defendant Group 1 |
| 2 | Cengage | Cengage | 3,603,349 | ebooksmoda.com | Defendant Group 1 |
| | | | | ebookvip.store | Defendant Group 1 |
| | | | | bigdadystores.com | Nam Hoang Nguyen |
| | | | | megaebooks.info | Tai Duc Huynh |
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| | | | | kobovital.com | Defendant Group 3 |
| 2 | Consess | Common I committee | 2 (02 27) | 1stebooks.com | Defendant Group 3 |
| 3 | Cengage | Cengage Learning | 3,603,376 | stdbooks.com | Defendant Group 3 |
| | | | | pdf4colleges.com | Defendant Group 4 |
| | | | | bookspersonally.com | Defendant Group 6 |
| | | | | ccbooks.org | Defendant Group 8 |
| | | | | ebook-mall.com | Doe 18 d/b/a ebook-mall.com |
| | | | | caposel.myshopify.com | Farid Zainal Abidin |
| | | | | ebooktestbank.com | Nguyet Anh Ho |
| | | | | ebookmar.com | Rostislav Zhuravskiy |
| | | | | aquickshop.online | Samantha Colaianni |
| 4 | Cengage | Course Technology | 1,660,331 | ccbooks.org | Defendant Group 8 |
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| 5 | Cengage | South-Western | 3,493,849 | bookscheap.org | Defendant Group 3 |
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| 6 | Compaga | Wadayyanth | 1 696 629 | ebooksalestorm.co | Cuong Nguyen Van |
| 6 | Cengage | Wadsworth | 4,686,628 | kobovital.com | Defendant Group 3 |

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| | | | | derora.onkingshop.com | Defendant Group 1 |
| | | ~ 1 | | ebooksmoda.com | Defendant Group 1 |
| | | | | zbooklife.com | Defendant Group 1 |
| 7 | Cengage | | 3,790,579 | kobovital.com | Defendant Group 3 |
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| | | | | megaebooks.info | Tai Duc Huynh |
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| | | | | zstapless.com | Diep Anh Nguyen |
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| | | | | aquickshop.online | Samantha Colaianni |
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| 9 | Elsevier | Evolve | | pixarebook.digital | Cuong Nguyen Van |
| | | | 3,027,676 | vitalbooks.net | Defendant Group 3 |
| 10 | Elsevier | M K | 2,114,270 | ebooksell.store | Cuong Nguyen Van |
| 11 | Macmillan Learning | Macmillan | 969,205 | pixarebook.com | Cuong Nguyen Van |
| 11 | | | | ebookthings.net | Defendant Group 1 |
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| | McGraw Hill | McGraw Hill | 2,899,528 | vitalbookshelf.store | Cuong Nguyen Van |
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| | McGraw Hill | McGraw Hill Education | 4,664,267 | ebookrost.store | Defendant Group 7 |
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| 15 | | | 2,652,792 2,679,355 2,691,830 | bookscheap.org | Defendant Group 3 |
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APPENDIX D

AMENDED COMPLAINT EXHIBIT B

McGraw Hill LLC et al. v. Chinh Tran Van et al., Civil Action No. 20-cv-6368-GHW

| Cengage Learning | Macmillan Learning |
|--------------------------------------|--------------------------------------|
| Brooks Cole | Bedford, Freeman & Worth High School |
| Cengage | Publishers |
| Cengage Learning | Bedford/St. Martin's |
| Course Technology | BFW |
| Delmar | BFW High School Publishers |
| Gale | Freeman |
| Heinle | Macmillan Learning |
| Milady | W.H. Freeman & Company |
| National Geographic Learning | Worth |
| South-Western Educational Publishing | Worth Publishers |
| Wadsworth | |
|] | Elsevier |
| Academic Cell | Medicine Publishing |
| Academic Press | Morgan Kaufmann Publishers |
| Amirsys | Mosby |
| Butterworth Heinemann | Newnes |
| Digital Press | North Holland |
| Elsevier | Saunders |
| Gulf Professional Publishing | Urban & Fischer |
| Hanley & Belfus | William Andrew |
| Knovel | Woodhead Publishing |
| Made Simple Books | _ |
| McGraw Hill | Pearson |
| Irwin | Addison Wesley |
| Lange | Adobe Press |
| McGraw-Hill | Allyn & Bacon |
| McGraw-Hill Education | Benjamin Cummings |
| McGraw-Hill Higher Education | Brady |
| McGraw-Hill Professional | Cisco Press |
| McGraw-Hill Ryerson | Financial Times Press/FT Press |
| McGraw-Hill/Appleton & Lange | IBM Press |
| McGraw-Hill/Contemporary | Longman |
| McGraw-Hill/Dushkin | New Riders Press |
| McGraw-Hill/Irwin | Peachpit Press |
| McGraw Hill | Pearson |
| NTC/Contemporary | Pearson Education |
| Osborne | Que Publishing |
| Schaum's | Sams Publishing |